

Senate Engrossed

State of Arizona
Senate
Forty-seventh Legislature
First Regular Session
2005

CHAPTER 145

SENATE BILL 1144

AN ACT

AMENDING SECTION 13-4013, ARIZONA REVISED STATUTES; RELATING TO INVESTIGATOR
AND EXPERT WITNESS FEES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 13-4013, Arizona Revised Statutes, is amended to
3 read:

4 13-4013. Fee of counsel assigned in criminal proceeding or
5 insanity hearings; appointment of investigators and
6 expert witnesses in case

7 A. When IF counsel is appointed by the court and represents the
8 defendant in either a criminal proceeding or insanity hearing, he COUNSEL
9 shall be paid by the county in which the court presides, ~~provided~~ EXCEPT that
10 in those matters where IN WHICH a public defender is appointed, no
11 compensation shall be paid by the county. Compensation for such services
12 rendered to THE defendant shall be such IN AN amount as THAT the court in its
13 discretion deems reasonable, considering the services performed.

14 B. When IF a person is charged with a capital FELONY offense the court
15 may on its own initiative and shall upon ON application of the defendant and
16 a showing that the defendant is financially unable to pay for such services,
17 appoint such investigators and expert witnesses as are reasonably necessary
18 TO adequately to present his A defense at trial and at any subsequent
19 proceeding.

20 C. Compensation for such investigators and expert witnesses WHO ARE
21 APPOINTED PURSUANT TO SUBSECTION B OF THIS SECTION shall be ~~such amount as~~
22 ~~the court in its discretion deems reasonable and shall be paid by the county~~
23 AT SUCH RATES AS THE COUNTY CONTRACTS FOR SUCH SERVICES. IF A NECESSARY
24 EXPERT WITNESS REPRESENTS A DISCIPLINE OR HAS A SKILL THAT IS NOT THEN THE
25 SUBJECT OF A COUNTY CONTRACT, THE COUNTY MAY EITHER PROMPTLY PROCURE THOSE
26 SERVICES PURSUANT TO SECTION 11-254.01 OR ASK THE COURT TO ESTABLISH A
27 REASONABLE FEE FOR THAT WITNESS. IF NO INVESTIGATOR OR EXPERT WITNESS WHO IS
28 UNDER CONTRACT WITH THE COUNTY TO PROVIDE SERVICES IS AVAILABLE AND THE
29 DEFENDANT IS UNABLE TO OBTAIN SUCH SERVICES AT THE COUNTY RATE, THE COURT
30 SHALL ESTABLISH A REASONABLE FEE FOR THE EXPERT WITNESS OR INVESTIGATOR
31 PROVIDING THE SERVICE.

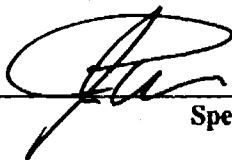
APPROVED BY THE GOVERNOR APRIL 20, 2005.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 20, 2005.

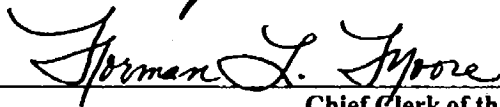
Passed the House April 13, 20 05,

by the following vote: 40 Ayes,

18 Nays, 2 Not Voting



Speaker of the House

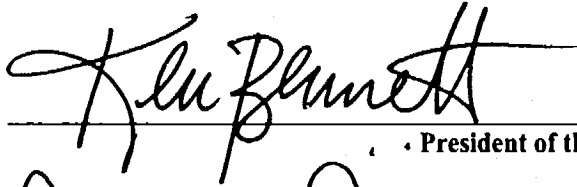


Chief Clerk of the House

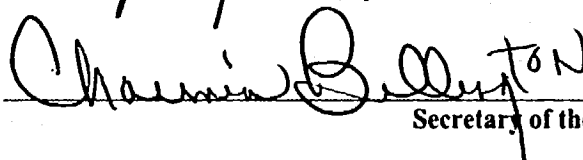
Passed the Senate February 17, 20 05,

by the following vote: 25 Ayes,

5 Nays, 0 Not Voting



President of the Senate



Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

14th day of April, 20 05,

at 12:30 o'clock P. M.

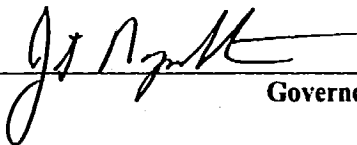


Secretary to the Governor

Approved this 20 day of

April, 20 05,

at 2⁰⁵ o'clock 1² M.



Governor of Arizona

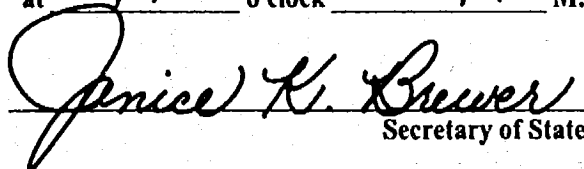
S.B. 1144

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 20 day of April, 20 05

at 4:10 o'clock P. M.



Secretary of State